

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1 1. (Previously Presented) A method for locating an efficient server among
2 servers mirroring a network site, comprising:
3 receiving by a first server an incoming connection from a client in communication
4 with said servers over a network;
5 providing a first efficiency rating for communication between the first server and
6 the client;
7 determining a second efficiency rating for communication between a second
8 server and the client, wherein said determining the second efficiency rating is based in
9 part on a predicted reliability rating associated with the second server; and
10 directing the client to subsequently communicate with the second server when
11 the second efficiency rating is better than the first efficiency rating.

12 2. (Original) The method of claim 1, wherein said providing the first
13 efficiency rating comprises a selected one of: measuring communication efficiency
14 between the first server and the client, and looking-up a previously measured
15 communication efficiency between the first server and the client.

16 3. (Previously Presented) The method of claim 1, further comprising:
17 wherein said directing comprises returning a network resource to the client
18 containing at least one reference therein to the second server.

1 4. (Original) The method of claim 3, wherein the at least one reference
2 comprises a web page element linking to the second server such that activation thereof
3 by the client causes the client to contact the second server.

4 5. (Original) The method of claim 3,
5 wherein the network resource received from the first server comprises a tag
6 based data structure having embedded identifiers specifying resources located on the
7 network, and
8 wherein the at least one reference is an embedded identifier specifying a network
9 resource of the second server.

10 6. (Original) The method of claim 1, further comprising:
11 returning a network resource to the client;
12 configuring the network resource so as to cause the client to contact the second
13 server so that the second server can measure a second efficiency rating for
14 communication with the client; and
15 retrieving the second efficiency rating.

16 7. (Original) The method of claim 1, wherein each of said servers store
17 efficiency ratings on a commonly accessible storage device.

18 8. (Previously Presented) The method of claim 1, further comprising:
19 storing efficiency ratings for communication with the client on a storage device;
20 and

1 retrieving at least one of said stored efficiency ratings from said second server
2 over a communication channel different from the network.

3 9. (Previously Presented) The method of claim 1, wherein said providing
4 the efficiency rating comprises determining an end-user delay between the client
5 requesting a first network resource from at least one of said servers, and the client's
6 receiving said requested first network resource therefrom.

7 10. (Original) The method of claim 1, wherein the incoming connection
8 from the client is generated by a browser, and wherein the efficiency rating measures
9 efficiency of delivering web page resources to the client.

10 11. (Original) The method of claim 1, further comprising:
11 contacting a resolution service so as to determine the first server has a closest
12 geographical proximity to the client;
13 contacting the first server in accordance with its being geographically closest to
14 the client; and
15 contacting the second server in accordance with the second server having the
16 higher efficiency rating notwithstanding the first server being geographically closest to
17 the client.

18 12. (Currently Amended) An article, comprising a storage medium having
19 instructions for locating an efficient server among servers mirroring a network site
20 encoded thereon for execution by a processor, said instructions capable of directing the
21 processor to perform:

1 receiving by a first server an incoming connection from a client in communication
2 with said servers over a network;

3 providing a first efficiency rating for communication between a first server and the
4 client, wherein said providing comprises a selected one of: measuring communication
5 efficiency between the first server and the client, and looking-up a previously measured
6 communication efficiency between the first server and the client;

7 determining a second efficiency rating for communication between a second
8 server and the client, wherein said determining the second efficiency rating is based in
9 part on a predicted reliability rating associated with the second server; and

10 directing the client to subsequently communicate with the second server when
11 the second efficiency rating is better than the first efficiency rating.

12 13. (Previously Presented) The article of claim 12, wherein said instructions
13 for directing the client to subsequently communicate with the second server comprise
14 instructions to direct the processor to perform:

15 returning a network resource to the client containing at least one reference
16 therein to the second server.

17 14. (Previously Presented) The article of claim 13, wherein the at least one
18 reference comprises a web page element linking to the second server such that
19 activation thereof by the client causes the client to contact the second server.

20 15. (Previously Presented) The article of claim 13,

1 wherein the network resource received from the first server comprises a tag
2 based data structure comprising embedded identifiers specifying resources located on
3 the network, and

4 wherein the at least one reference is an embedded identifier specifying a network
5 resource of the second server.

6 16. (Previously Presented) The article of claim 12, said instructions including
7 further instructions for:

8 returning a network resource to the client;
9 configuring the network resource so as to cause the client to contact the second
10 server so that the second server can measure a second efficiency rating for
11 communication with the client; and
12 retrieving the second efficiency rating.

13 17. (Previously Presented) The article of claim 12, wherein each of said
14 servers stores measured communication efficiency ratings on a commonly accessible
15 networked storage device.

16 18. (Previously Presented) The article of claim 12, said instructions including
17 further instructions for:

18 storing by the first server and the second server of efficiency ratings for
19 communication with the client on a storage device associated thereto;

20 wherein the first server retrieves stored efficiency ratings from said second over a
21 communication channel different from the network.

1 19. (Previously Presented) The article of claim 12, wherein said instructions
2 for measuring efficiency ratings include further instructions for:
3 determining an end-user delay between requesting a first network resource from
4 said servers, and the client's receiving said requested first network resource in
5 response thereto.

6 20. (Previously Presented) The article of claim 12, wherein the incoming
7 connection from the client is generated by a browser, and wherein the efficiency rating
8 measures efficiency of delivering web page resources to the client.

9 21. (Previously Presented) The article of claim 12, said instructions including
10 further instructions for:

11 providing a network site identifier to a resolution service for determining a
12 geographically closest server of said servers mirroring the network site;

13 contacting said geographically closest server in accordance with its being
14 geographically closest to the client; and

15 contacting the second server in accordance with the second server having the
16 higher efficiency rating notwithstanding the first server being geographically closest to
17 the client.

18 22. (Previously Presented) A method, comprising:

19 determining a first server being geographically closer to a client than a second
20 server;

1 determining a first efficiency rating of communication between the client and the
2 first server;

3 determining a second efficiency rating of communication between the client and
4 the second server, wherein said determining the second efficiency rating is based in
5 part on a predicted reliability rating associated with the second server; and

6 evaluating whether the second efficiency rating exceeds the first efficiency rating,
7 and if so, providing a web page of the first server which contains content linking to the
8 second server.

9 23. (Currently Amended) The method of claim 22, further comprising:
10 determining said first efficiency rating based in part on first contacting[,] by the
11 client[,] of the first server; and
12 determining said second efficiency rating based at least in ~~on~~ part on second
13 contacting[,] by the first server[,] of the second server.

14 24. (Previously Presented) The method of claim 23, further comprising:
15 maintaining by the second server a rating table indexed according to client
16 network addresses;
17 storing in said table an entry for each site hosting a copy of the web site, each
18 entry indicating a measured communication efficiency between the client and each
19 corresponding hosting site; and
20 sending to the first server said measured communication efficiency between the
21 second server and the client.

1 25. (Original) The method of claim 24, wherein measuring communication
2 efficiency between the client and the first and second servers comprises:
3 first requesting first network resources from the first server, and determining a
4 first end-user delay for the client in receiving said first network resources; and
5 configuring said first network resources to include web page data to cause the
6 client to perform a second requesting of second network resources from the second
7 server; and
8 determining a second end-user delay for the client in receiving said second
9 network resources.

10 26. (Original) The method of claim 22, further comprising:
11 if the second efficiency rating exceeds the first efficiency rating, then receiving a
12 web page from the first server with all web links directed towards the second server;
13 and
14 if the first efficiency rating exceeds the second efficiency rating, then receiving
15 the web page from the first server with all web links directed towards the first server.

16 27. (Previously Presented) An article comprising a storage medium having
17 instruction encoded thereon, said instructions, which when executed by a processor,
18 are capable of directing the processor to:
19 determine a first server being geographically closer to a client than a second
20 server;
21 determine a first efficiency rating of communication between the client and the
22 first server;

1 determine a second efficiency rating of communication between the client and
2 the second server, wherein said determining the second efficiency rating is based in
3 part on a predicted reliability rating associated with the second server; and
4 evaluate whether the second efficiency rating exceeds the first efficiency rating,
5 and if so, provide a web page of the first server which contains content linking to the
6 second server.

7 28. (Currently Amendment) The article of claim 27, said instructions including
8 further instructions to:

9 determine said first efficiency rating based in part on first contacting[,] by the
10 client[,] of the first server; and

11 determine said second efficiency rating based at least in ~~on~~ part on second
12 contacting[,] by the first server[,] of the second server.

13 29. (Currently Amended) The article of claim 28 said instructions including
14 further instructions to:

15 maintain by the second server a rating table indexed according to client network
16 addresses;

17 store in said table an entry for each site hosting a copy of the web site, each
18 entry indicating a predicted communication efficiency between the client and each
19 corresponding hosting site; and

20 send to the first server, responsive to said contacting by the first server, said
21 predicted communication efficiency for the second server and the client.

1 30. (Original) The article of claim 29, wherein predicting communication
2 efficiency between the client and the first and second servers comprises:
3 first request first network resources from the first server, and determine a first
4 end-user delay for the client in receiving said first network resources;
5 configure said first network resources to include web page data to cause the
6 client to perform a second request of second network resources from the second server;
7 and
8 determine a second end-user delay for the client in receiving said second
9 network resources.

10 31. (Original) The article of claim 27, said instructions including further
11 instructions to:
12 determine if the second efficiency rating exceeds the first efficiency rating, and if
13 so, then receive a web page from the first server with all web links directed towards the
14 second server; and
15 determine if the first efficiency rating exceeds the second efficiency rating, and if
16 so, then receive the web page from the first server with all web links directed towards
17 the first server.